

REMARKS/ARGUMENTS

Following entrance of the present Amendment, Applicant has included a Terminal Disclaimer to address all of the Examiner's rejections. Hence claims 1-9 remain presented for consideration.

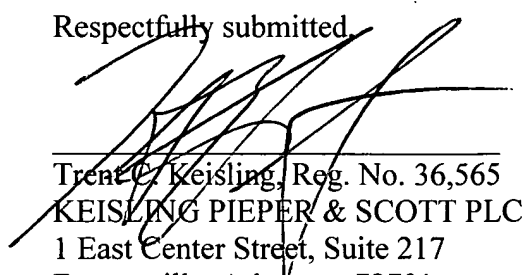
In the Office Action, the Examiner rejected claims 1-9 under the judicially created doctrine of obviousness-type double patenting over U.S. Patent No. 6,166,780. The Examiner indicated that the rejection to claims 1-9 would be overcome by the filing of a terminal disclaimer in compliance with 37 C.F.R. § 1.321(c).

Applicant has included a Terminal Disclaimer by the Assignee of the rights, title and interest of U.S. Patent No. 6,166,780 and the Assignee of the rights, title and interest of the present application to obviate the double patenting rejection. It is respectfully requested that the double patenting rejection hereto be withdrawn. Additionally, Applicant has included a Statement under 37 C.F.R. § 3.73(b) establishing the right of the Assignee to take action in the present application.

Should there be any matter of form or language which stands in the way of allowance of the present application, the undersigned hereby respectfully requests a telephone conference with the examiner in charge of this application to resolve such issues.

Pursuant to 37 C.F.R. §1.20(d), Applicant encloses a check in the amount of \$55.00 made payable to the Commissioner of Patents and Trademarks for the disclaimer fee.

Respectfully submitted,



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